

Washington, Friday, March 27, 1953

TITLE 14—CIVIL AVIATION

Chapter I-Civil Aeronautics Board

Subchapter A—Civil Air Regulations
[Supp. 17]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MISCELLANEOUS ALTERATIONS

The purpose of this amendment is to make minor alterations and corrections in existing rules, policies, and interpretations of the Civil Aeronautics Administration. Therefore, compliance with the notice, procedures, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

1. Section 42.0–1 (d) as published on May 24, 1950, in 15 F. R. 3151, is amended by rewording the second sentence to read as follows: "The amendment will be issued by the CAA regional office having direct inspectional responsibility for the principal operations of the air carrier."

2. Section 42.5–1, as published on November 22, 1949, in 14 F. R. 7032, is deleted. New § 42.5–1 is adopted to read as follows:

§ 42.5-1 Appropriate economic authority (CAA interpretations which apply to § 42.5 (a)) The term "appropriate economic authority" as used in § 42.5 (a) means economic authority from the Board to engage in the air carrier operations for which the air carrier operating certificate is issued.

3. Section 42.11-1 (d) as published on November 22, 1949, in 14 F. R. 7033, and amended on February 1, 1951, in 16 F. R. 926, is amended by deleting the words, "as established in the preceding table" in the last sentence and changing the comma after the word "seats" to a period.

4. Section 42.16-1, as published on January 19, 1950, in 15 F. R. 83, is amended by deleting the following: "§§ 42.80-1, 42.80-2, etc." and inserting in lieu thereof the following: "§ 42.80"

5. Section 42.24-2, as published on March 29, 1952, in 17 F. R. 2749, is amended by rewording the captions to paragraphs (a) (b), and (c) to read as follows:

§ 42.24–2 First-aid kits (CAA policies which apply to § 42.24)

(a) No. 1 kit for aircraft of 1-5 persons capacity. * * *

(b) No. 2 kit for aircraft of 6-25 persons capacity.

(c) No. 3 kit for aircraft of more than 25 persons capacity.

6. Section 42.32-1, as published on October 12, 1950, in 15 F R. 6853, is amended by deleting from the last sentence "§ 18.10 (b) or (c) of this subchapter." and inserting in lieu thereof "Part 18 of this subchapter (i. e. of the Civil Air Regulations)"

7. Section 42.57-1 (c) as published on November 22, 1949, in 14 F. R. 7040, is revised to read as follows:

§ 42.57-1 Minimum facilities (CAA policies which apply to § 42.57)

(c) Obstructions on and in the vicinity of the landing area should be obstruction lighted. The criteria for determining obstructions to air navigation and for the lighting of obstructions to air navigation are contained in Technical Standard Orders available from the Aviation Information Office, Civil Aeronautics Administration, Washington 25, D. C.

8. Section 42.96-1 (c) as published on November 22, 1949, in 14 F. R. 7042, is amended by deleting from the last sentence "for review, appropriate investigation, and forwarding to the Washington Office of the Air Carrier Maintenance Branch."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010; 49 U. S. C. 551, 554)

This supplement shall become effective April 15, 1953.

[SEAL]

F. B. Lee, Acting Administrator of Civil Acronautics.

[F. R. Doc. 53-2611; Filed, Mar. 26, 1953; 8:45 a. m.]

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Principal Officials in the **Executive Branch** Appointed January 20-March 22, 1953

A listing of approximately 200 appointments made after January 20, 1953. Names contained in the list replace corresponding names appearing in the 1.952-53 U. S. Government Organization Manual

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TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II.—Federal Housing Administration, Housing and Home Finance Agency

Subchapter B-Property Improvement Loans

PART 204—TITLE I MORTGAGE INSURANCE: RIGHTS AND OBLIGATIONS OF MORTGAGEE **UNDER INSURANCE CONTRACT**

CONDITION OF PROPERTY WHEN TRANS-FERRED: DEBENTURES

Section 204.11 (a) (1) is hereby amended to read as follows:

(1) Debentures of the Title I Housing Insurance Fund as set forth in section 8 of Title I of the act, issued as of the date foreclosure proceedings were instituted or the property was otherwise acquired by the mortgagee after default, bearing interest at the rate of 2½ percent per annum in the case of mortgages endorsed for insurance prior to March 23, 1953, and at the rate of 23/4 percent per annum in the case of mortgages endorsed for insurance on or after March 23, 1953, payable semiannually on the first day of January and the first day of July of each year, and having a total face value equal to the value of the mortgage as defined in section 204 (a) of the act. Such value shall be determined by adding to original principal of the mortgage, which was unpaid on the date of the institution of foreclosure proceedings or the acquisition of the property otherwise after default, the amount of all payments, which have been made by the mortgagee for taxes, ground rent and water rates, which are liens prior to the mortgage, special assessments, which are noted on the application for insurance or which become liens after the insurance of the mortgage, insurance on the property mortgaged and any mortgage insurance premium paid after the institution of foreclosure proceedings or the acquisition of the property otherwise after default, and by deducting from such total any amount received on account of the mortgage after the institution of foreclosure proceedings or the acquisition of the property otherwise after default and from any source relating to the property on account of rent or other income after

deducting reasonable expenses incurred in handling the property. There will also be included in the debentures issued by the Commissioner, on account of foreclosure costs actually paid by the mort-gagee and approved by the Commissioner an amount not in excess of 33 of such costs or \$75, whichever is the greater. Provided, That with respect to mortgages to which the provisions of Sections 302 and 306 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, apply, there shall be included in the debentures an amount which the Commissioner finds to be sufficient to compensate the mortgagee for any loss which it may have sustained on account of interest on debentures and the payment of insurance premiums by reason of its having postponed the institution of foreclosure proceedings or the acquisition of the property by other means during any part or all of the period of such military service and 3 months thereafter. (Sec. 2, 48 Stat. 1246, as amended: 12 U.S. C.

and Sup. 1703g. Interprets or applies sec. 102, 64 Stat. 48; 12 U. S. C. 1705e)

Issued at Washington, D. C., March 23.

WALTER L. GREENE, Federal Housing Commissioner. [F. R. Doc. 53-2616; Filed, Mar. 26, 1953; 8:46 a. m.]

Subchapter C-Mutual Mortgage Insurance PART 222-MUTUAL MORTGAGE INSURANCE: RIGHTS AND OBLIGATIONS OF THE MORT-GAGEE TINDER INSURANCE CONTRACT

> CONDITION OF PROPERTY WHEN TRANSFERRED; DEBENTURES

Section 222.15 (a) (1) is hereby amended to read as follows:

(1) Debentures of the Mutual Mortgage Insurance Fund as set forth in section 204 of the act, issued as of the date foreclosure proceedings were instituted or the property was otherwise acquired by the mortgagee after default, bearing interest at the rate of 2% percent per annum if issued in exchange for property accepted for insurance pursuant to an application for insurance received by the Commissioner prior to May 15, 1950, and 21/2 percent per annum if issued in exchange for property accepted for insurance pursuant to an application for insurance received by the Commissioner on or after May 15. 1950, and endorsed for insurance prior to March 23, 1953, and at the rate of 234 percent per annum in the case of mortgages endorsed for insurance on or after March 23, 1953, payable semi-annually on the first day of January and the first day of July of each year, and having a total face value equal to the value of the mortage as defined in section 204 (a) of the National Housing Act. Such value shall be determined by adding to original principal of the mortgage, which was unpaid on the date of the institution of foreclosure proceed-ings or the acquisition of the property otherwise after default, the amount of all payments, which have been made by the mortgagee for taxes, ground rents

and water rates, which are liens prior to the mortgage, special assessments, which are noted on the application for incurance or which become liens after the insurance of the mortgage, insurance on the property mortgaged and any mortgage insurance premium paid after the institution of foreclosure proceedings or the acquisition of the property otherwise after default, and by deducting from such total any amount received on account of the mortgage after the institution of foreclosure proceedings or the acquisition of the property otherwise after default and from any source relating to the property on account of rent or other income after deducting reasonable expenses incurred in handling the property Provided, however, That with respect to mortgages which are accepted for insurance under section 203 (b) (2) (B) of the National Housing Act, on which the unpaid principal obligation at the time of the institution of foreclosure proceedings exceeds 80 percent of the appraised value of the property as of the date the mortgage was accepted for insurance, there will be included in the debentures issued by the Commissioner, on account of foreclosure costs, actually paid by the mortgagee and approved by the Commissioner, an amount not in excess of 2 percent of the unpaid principal of the mortgage as of the date of the institution of foreclosure proceedings, but in no event in excess of \$75, except that with respect to mortgages which are accepted for insurance under section 203 (b) (2) (D) of the National Housing Act, there will be included in debentures on account of such foreclosure costs an amount not in excess of two-thirds of such costs or \$75, whichever is the greater: Provided further That with respect to mortgages to which the provisions of sections 302 and 306 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, apply and which are insured under section 203 of the National Housing Act, there shall be included in the debentures an amount which the Commissioner finds to be sufficient to compensate the mortgagee for any loss which it may have sustained on account of interest on debentures and the payment of insurance premiums by reason of its having postponed the institution of foreclosure proceedings or the acquisition of the property by other means during any part or all of the period of such military service and three months thereafter. Such debentures shall be registered as to principal and interest and all or any such debentures may be redeemed, at the option of the Commissioner with the approval of the Secretary of the Treasury, at par and accrued interest on any interest payment day on three months' notice of redemption given in such manner as the Commissioner shall prescribe.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 Ù. S. C. 1715b)

Issued at Washington, D. C., March 23, 1953.

> WALTER L. GREENE. Federal Housing Commissioner.

[F. R. Doc. 53-2613; Filed, Mar. 26, 1953; 8:45 a. m.]

Subchapter D—Multifamily and Group Housing Insurance

PART 233—RENTAL HOUSING INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT

COMPUTATION OF BENEFITS RECEIVED BY ASSIGNMENT: DEBENTURES

Section 233.6 (a) is hereby amended to read as follows:

(a) Debentures of the Housing Insurance Fund as set forth in section 207 of the act having a total face value equal to the value of the mortgage as defined in section 207 (g) of the act, which value shall be determined by adding to the original principal of the mortgage which was unpaid on the date of default the amount the mortgagee may have paid for taxes, special assessments, and water rates which are liens prior to the mortgage; insurance on the property and reasonable expenses for the completion and preservation of the property, and any mortgage insurance premiums paid after default; less the sum of an amount equivalent to 1 percent of the amount of the mortgage advanced to the mortgagor and unpaid: any amount received on account of the mortgage after such date; and any net income received by the mortgagee from the property after such date. Such debentures shall be issued as of the date the mortgage became in default, bearing interest from such date at the rate of 21/2 percent per annum, in the case of mortgages endorsed for insurance prior to March 23, 1953, and at the rate of 23/4 percent per annum in the case of mortgages endorsed for insurance on or after March 23, 1953, payable semiannually on the first day of January and the first day of July of each year, shall be registered as to principal and interest and all or any such debentures may be redeemed at the option of the Commissioner with the approval of the Secretary of the Treasury at par and accrued interest on any interest payment date on three months' notice of redemption given in such manner as the Commissioner shall prescribe. Such debentures shall be issued in multiples of \$50.00 and any difference not in excess of \$50.00 between the amount of debentures to which the mortgagee is otherwise entitled hereunder and the aggregate face value of the debentures issued shall be paid in cash by the Commissioner to the mortgagee.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 207, 48 Stat. 1252, as amended; 12 U. S. C. 1713)

Issued at Washington, D. C., March 23, 1953.

Walter L. Greene, Federal Housing Commissioner [F. R. Doc. 53-2614; Filed, Mar. 26, 1953;

PART 243—COOPERATIVE HOUSING INSUR-ANCE; RIGHTS AND OBLIGATIONS OF

MORTGAGEE UNDER INSURANCE CONTRACT

8:45 a. m.]

RIGHTS AND DUTIES IN CONNECTION WITH OTHER THAN INDIVIDUAL MORTGAGES; DEBENTURES

Section 243.9 (c) (1) is hereby amended to read as follows:

(1) Debentures of the Housing Insurance Fund as set forth in section 207 of the act having a total face value equal to the value of the mortgage as defined in section 207 (g) of the act, which value shall be determined by adding to the original principal of the mortgage which was unpaid on the date of default the amount the mortgagee may have paid for taxes, special assessments, and water rates which are liens prior to the mortgage; insurance on the property and reasonable expenses for the completion and preservation of the property and mortgage insurance premiums paid after default, less the sum of (i) an amount equivalent to one percent of the amount of the mortgage advanced to the mortgagor and unpaid; (ii) any amount received on account of the mortgage after such date: and (iii) any net income received by the mortgagee from the property after such date. Such debentures shall be issued as of the date the mortgage became in default, bearing interest from such date at the rate of two and one-half percent per anum in the case of mortgages endorsed for insurance prior to March 23, 1953, and at the rate of two and three-fourths percent per annum in the case of mortgages endorsed for insurance on or after March 23, 1953, payable semiannually on the first day of January and the first day of July of each year, shall be registered as to principal and interest and all or any such debentures may be redeemed at the option of the Commissioner with the approval of the Secretary of the Treasury at par and accrued interest on any interest payment date on three months' notice of redemption given in such manner as the Commissioner shall prescribe. Such debentures shall be issued in multiples of \$50.00 and any differences not in excess of \$50.00 between the amount of debentures to which the mortgagee is otherwise entitled hereunder and the aggregate face value of the debentures issued shall be paid in cash by the Commissioner to the mortgagee.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 114, 64 Stat. 54; 12 U. S. C. 1715e)

Issued at Washington, D. C., March 23, 1953.

WALTER L. GREENE, Federal Housing Commissioner

[F. R. Doc. 53-2615; Filed, Mar. 26, 1953; 8:46 a. m.]

PART 243—COOPERATIVE HOUSING INSUR-ANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT

RIGHTS AND DUTIES IN CONNECTION WITH INDIVIDUAL MORTGAGES; DEBENTURES

Section 243.10 (h) (1) is hereby amended to read as follows:

(1) Debentures of the Housing Insurance Fund as set forth in section 204 of the act, issued as of the date foreclosure proceedings were instituted or the property was otherwise acquired by the mortgagee after default, bearing interest at the rate of 2½ percent per annum in the case of mortgages endorsed for insurance prior to March 23, 1953, and at the

rate of 2% percent per annum in the case of mortgages endorsed for insurance on or after March 23, 1953, payable semiannually on the first day of January and the first day of July of each year, and having a total face value equal to the value of the mortgage as defined in section 204 (a) of the act. Such value shall be determined by adding to original principal of the mortgage, which was unpaid on the date of the institution of foreclosure proceedings or the acquisition of the property otherwise after default, the amount of all payments, which have been made by the mortgagee for taxes, ground rent and water rates, which are liens prior to the mortgage, special assessments, which are noted on the application for insurance or which become liens after the insurance of the mortgage, insurance on the property mortgaged and any mortgage insurance premium paid after the institution of foreclosure proceedings or the acquisition of the property otherwise after default, and by deducting from such total any amount received on account of the mortgage after the institution of foreclosure proceedings or the acquisition of the property otherwise after default and from any source relating to the property on account of rent or other income after deducting reasonable expenses incurred in handling the property. Provided, however, That there will be included in the debentures issued by the Commissioner, on account of fore-closure costs actually paid by the mortgagee and approved by the Commissioner an amount not in excess of two-thirds of such costs or seventy-five dollars (\$75) whichever is the greater. Such debentures shall be registered as to principal and interest and all or any such debentures may be redeemed, at the option of the Commissioner with the approval of the Secretary of the Treasury. at par and accrued interest on any interest payment day on three (3) months' notice of redemption given in such manner as the Commissioner shall prescribe. (Sec. 211, as added by sec. 3, 52 Stat. 23; 12

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 114, 64 Stat. 54; 12 U. S. C. 1715o)

Issued at Washington, D. C., March 23, 1953.

Walter L. Greene, Federal Housing Commissioner

[F. R. Doc. 53-2617; Filed, Mar. 26, 1953; 8:46 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter L—Irrigation Projects; Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

On February 17, 1953 (Vol. 18, No. 32, Federal Register, page 939), there was published a notice of intention to amend §§ 130.6 and 130.7 of Title 25, Code of Federal Regulations, Chapter 1, Subchapter L, Part 130, to modify the annual rate of assessments for the op-

eration and maintenance of the irrigable lands of the Colorado River Indian Irrigation Project, Arizona, by increasing the basic water charges from \$5.00 per acre to \$6.00 per acre per annum, and increasing the basic water allowance from four acre feet to five acre feet per acre per annum. Interested persons desiring to participate in formulating the amendment could do so by filing written statements or data with the Area Director of the Bureau of Indian Affairs with headquarters at Phoenix, Arizona, not later than March 9, 1953. Within the time allowed, an objection was filed with the Director by the Colorado River Indian Tribal Council and its tribal attorney. A meeting was held with the Tribal Council and its attorney on March 17 at the Colorado River Indian Agency. Bureau of Indian Affairs' representatives presented the budget showing expenditures proposed for the Colorado River Indian Irrigation Project and explained in detail. It was not demonstrated at the meeting that appreciable reductions in the budget could be made. In view of the substantial increase in cost of operating and maintaining the Colorado River Indian Irrigation Project since 1949 when the assessment rates were last fixed. I have concluded that the basic assessment rate should now be \$6.00 per acre annually effective for the Calendar Year 1953 and thereafter until further notice. Accordingly §§ 130.6 and 130.7 are amended to read as follows:

§ 130.6 Charges. Pursuant to the provisions of the acts of Congress approved August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385-387) the annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed until further notice at \$6.00 per acre per annum for the delivery of not to exceed five acre feet of water per acre per annum, except that when with the approval of the Superintendent, certain alkali tracts are planted to rice with a view to reclaiming the lands, a quantity of water reasonably sufficient to carry away alkali salts may be furnished to any such tracts of land for not more than two successive years at a rate of \$6.00 per acre per annum: Provided, however That the owners of Indian lands that are not under lease to non-Indian lessees and whose lands are located within the boundaries of Townships 8 and 9 North, Ranges 20 and 21 West, S. & G. R. B. M., commonly known as the old portion of the project, shall be required to make only a partial cash payment of \$3.00 per acre per annum until such time as in the opinion of the Superintendent these lands are subjugated to the standards now being followed in the development of new lands in other parts of the project. The remaining unpaid part of the \$6.00 basic assessments in such cases shall stand as a first lien against the land until paid. The foregoing charges shall become effective for the irrigation season of 1953 and continue in effect thereafter until further notice.

§ 130.7 Excess water charge. Additional water, if and when available, in excess of five acre feet per acre per annum, may be delivered upon request of landowners or lessees at the rate of \$1.50 per acre foot, or fraction thereof. (Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

RALPH M. GELVET, Area Director

[F. R. Doc. 53-2627; Filed, Mar. 29, 1953; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 20, as Amended March 26, 1953]

CMP Reg. 1—Basic Rules of the Controlled Materials Plan

DIR. 20—EX-ALLOTHENT ACQUISITION AND USE OF CONTROLLED MATERIALS SOLD AFTER COMMENCEMENT OF LEAD TIME

This amended direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

EXPLANATORY

This amendment affects Direction 20 of February 16, 1953, to CMP Regulation No. 1 as follows: Section 1 is amended; a new section 2 is added and former sections 2 through 7 are redesignated sections 3 through 8, respectively redesignated sections 3 (a) 5 (a), 6, 7, and 8 are amended.

REGULATORY PROVISIONS

Sec.

1. What this direction does.

- 2. Exception of nickel-bearing stainless steel.
- 3. Definitions.
- 4. Applicability of other regulations and orders.
- Sales of controlled materials by producers after commencement of lead time.
- Purchases of controlled materials by distributors after commencement of lead time and sales of such controlled materials.
- Acquisition of controlled materials by persons who place unrated orders.
- Use of controlled materials acquired by persons pursuant to unrated orders.

AUTHORITY: Sections 1 to 8 icsued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 789, Pub. Law 423, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1930 Supp., sec. 2, E. O. 10200, Jan. 3, 1951; 16 F. R. 61; 3 CFR, 1951 Supp., cecs. 402, 405, E. O. 10281, Aug. 28, 1951; 16 F. R. 8763; 3 CFR, 1951 Supp.

Section 1. What this direction does. This direction establishes a procedure by which controlled materials producers may accept unrated orders for controlled materials (except nickel-bearing stainless steel) after the commencement of

lead time, and explains how persons may obtain and use such controlled materials without charging allotment authority.

Sec. 2. Exception of nucled-bearing stainless steel. The provisions of this direction do not apply to nickel-bearing stainless steel.

Sec. 3. Definitions. As used in this direction:

(a) "Controlled materials distributor" means (1) a steel distributor as defined in, and who operates under the provisions of, NPA Order M-6A, (2) a foundry copper and copper-base alloy products or powder mill products distributor as defined in, and who operates under the provisions of, Direction 5 to NPA Order M-11, (3) a brass mill products distributor as defined in, and who operates under the provisions of, NPA Order M-32; (4) a copper wire mill products distributor as defined in, and who operates under the provisions of, NPA Order M-86; or (5) an aluminum distributor as defined in, and who operates under the provisions of, IJPA Order M-83.

(b) "Unrated order" means a delivery order for controlled materials which is not an authorized controlled material order, a fabrication order pursuant to NPA Order M-5, or a certified order pursuant to NPA Order M-6A, but which may be placed and accepted pursuant to the provisions of this direction.

Sec. 4. Applicability of other regulations and orders. The provisions of all CMP regulations and of all other NPA regulations and orders, including the directions and amendments thereto, as heretofore issued, are superseded to the extent to which they are inconsistent with the provisions of this direction. In all other respects, the provisions of all NPA regulations and orders heretofore issued shall remain in full force and effect.

Sec. 5. Sales of controlled materials by producers after commencement of lead time. (a) Subject to the provisions of paragraphs (b) and (c) of this section, a controlled materials producer may, on and after the date of commencement of lead time for a particular controlled material product, accept unrated orders calling for delivery of such product during the month to which such lead time is applicable: Provided, however That such unrated orders shall be accepted only when they call for delivery between March 1 and June 30, 1953.

(b) A controlled materials producer may produce and make delivery against any unrated order accepted in accordance with the provisions of paragraph (a) of this section, provided such production and delivery is in accordance with, and does not violate, any production directives and other directives which have been or may be issued from time to time to such producer by NPA, or does not interfere with the acceptance and filling of orders which such producer is required to accept pursuant to any regulation or order of NPA.

(c) Unrated orders accepted in accordance with the provisions of paragraph (a) of this section for delivery during a particular month but which will

not be, or are not, shipped during such month, shall not be deemed carry-over orders in determining required order acceptance or shipment in succeeding months for the purposes of CMP Regulation No. 1 and of NPA Orders M-1, M-5, or M-11, as the case may be.

Sec. 6. Purchases of controlled materials by distributors after commencement of lead time and sales of such controlled materials. (a) A controlled materials distributor may place unrated orders for a particular controlled material product with a controlled material producer on and after the date of commencement of lead time for such product, and which call for delivery of such product during the month to which such lead time is applicable: Provided, however That such unrated orders may call for delivery only between March 1 and June 30, 1953.

(b) A controlled materials distributor who acquires controlled materials, either by actual receipt or by acceptance of his unrated orders by controlled materials producers, pursuant to the provisions of paragraph (a) of this section shall maintain separate records of his purchases and sales of such controlled materials. but need not physically segregate such controlled materials from other controlled materials in his inventory. He may sell an equivalent quantity of each such controlled material product against unrated orders: Provided, however That he shall not sell steel oil country casing, tubing or drill pipe against unrated orders until he has actually received an equivalent quantity thereof pursuant to unrated orders. In selling any such controlled material products against an unrated order he shall furnish the purchaser with a statement reading substantially as follows:

The controlled materials covered by this invoice are sold pursuant to the provisions of Direction 20 to CMP Regulation No. 1.

The statement shall be signed as provided in NFA Reg. 2, and shall appear on the invoice or on a separate piece of paper attached to the invoice or clearly identifying it.

Sec. 7. Acquisition of controlled materials by persons who place unrated orders. Any person may place unrated orders for a particular controlled material product with a controlled materials producer on and after the date of commencement of lead time for such product. and which call for delivery of such product during the month to which such lead time is applicable: Provided, however That such unrated orders may call for delivery only between March 1 and June 30, 1953. He may also place unrated orders with a controlled materials distributor calling for delivery, between March 1 and June 30, 1953, of controlled materials which such distributor has acquired pursuant to the provisions of section 6 of this direction.

Sec. 8. Use of controlled materials acquired by persons pursuant to unrated orders. Any person who acquires controlled materials in accordance with the provisions of section 7 of this direction may use such controlled materials for

any purpose not prohibited by any regulation or order of NPA. He need not charge such controlled materials against any allotment or authority to place orders for controlled materials (including automatic allotment, self-authorization, and quota)

NOTE: All reporting and record-keeping requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amended direction shall take effect March 26, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W Auxier,
Executive Secretary.

[F. R. Doc. 53-2689; Filed, Mar. 26, 1953; 10:18 a. m.]

[NPA Order M-2 as Amended March 26, 1953]

M-2-RUBBER

This order as amended is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950, as amended, and the Rubber Act of 1948, as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

EXPLANATORY

This amended order revises NPA Order M-2, as last amended December 11, 1952, by deleting the limitation on use of pale crepe in the manufacture of shoes, shoe soles, heels, welting, or wrappers contained in section 6.

REGULATORY PROVISIONS

1. Explanation.

- 2. Applicability of other regulations and orders.
- 3. Definitions.
- 4. Limitation on inventory of dry natural rubber.
- 5. Marking of butyl tubes.
- Limitation on use of pale crepe.
 Reports of rubber consumption and stocks.
- 8. Reports by tire, tube, and camelback manufacturers.
- 9. Records and reports.
- 10. Request for adjustment or exception.
- 11. Communications.
- 12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp., secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. Explanation. This amended order continues in effect only certain of the restrictions heretofore applicable to the use of natural crepe rubber, and requires the marking of tire tubes made of butyl. The order contains no other controls on acquisition, inventories, and consumption of either

natural or synthetic rubber. In the interest of national security, however, it has been jointly determined by the appropriate Government agencies that production by the Government-owned synthetic rubber plants should be maintained at levels substantially in excess of the minimum quantities required by the Rubber Act of 1948, as amended, viz, 200,000 long tons per annum for GR-S and 15,000 long tons per annum for butyl. In order to support the higher production levels desirable for national security, GR-S consumption cannot be permitted to fall below the rate of 450,000 long tons per annum, and butyl consumption cannot be permitted to fall below the rate of 60,000 long tons per annum. Since voluntary industry usage appears unlikely to drop below such levels, mandatory consumption of synthetic rubber has not been imposed, but if consumption falls below these levels the order will be amended by establishing industry-wide manufacturing specifications requiring the use of stated percentages of synthetic rubber in all rubber products. This action is in accord with the legislative policy of section 2 of the Rubber Act of 1948, as amended, which states that "In order to strengthen national security through a sound industry it is essential that * * * regulations requiring mandatory use of synthetic rubber * * * bo ended and terminated whenever consistent with national security *

SEC. 2. Applicability of other regulations and orders. Nothing contained in this order as amended shall be construed to relieve any person from complying with such limitations as may be contained in any other applicable NPA regulation or order, or any order or regulation of any other competent authority. Moreover, nothing contained in this order as amended shall be construed as relieving any person of any obligation or liability incurred under this order as originally issued or as amended from time to time.

Sec. 3. Definitions. As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, both dry and latex, including all grades of wild rubber, but excluding balata, gutta percha, and reclaimed natural rubber.

(b) "Dry natural rubber" means all natural rubber in solid form.

(c) "Natural rubber latex" means the dry latex solids contained in natural rubber liquid latex,

(d) "Synthetic rubber" means all new RHC products of chemical synthesis in solid or latex form, prepared from a diolefin or derivative therefrom as an essential component, similar in general properties and applications to natural rubber and specifically capable of vulcanization, but excluding reclaimed synthetic rubber.

thetic rubber.

(e) "GR-S" means a general-purpose synthetic rubber of the butadiene or butadiene-styrene type produced in the United States, generally suitable for use in the manufacture of transportation items such as tires or camelback, as well as any other type of synthetic rubber equally or better suited for use in the

manufacture of transportation items such as tires or camelback, as determined from time to time by NPA, but excluding reclaimed general-purpose synthetic rubber.

(f) "Cold rubber" means GR-S poly-

(f) "Cold rubber" means GR-S polymers produced at low temperatures as classified by the Reconstruction Finance Corporation.

(g) "Butyl" or "GR-I" means specialpurpose synthetic rubber produced in the United States, suitable for use in the manufacture of transportation items such as pneumatic inner tubes, but excluding reclaimed special-purpose synthetic rubber.

(h) "Reclaimed rubber" means any rubber derived from the processing or treatment of vulcanized rubber or cured

scrap rubber.

(i) "New RHC" means total new rubber hydrocarbon. This is the total content of dry natural rubber, natural rubber latex, synthetic rubber (including the oil in oil-extended GR-S) uncured scrap rubber, and uncured in-process materials.

(j) "Pale crepe" means dry natural rubber produced from the fresh coagula of natural liquid latex meeting the specifications of the Rubber Manufacturers Association for pale latex crepes, thick or thin, number IX and 1.

(k) "Consume" means (in the case of dry natural rubber, natural rubber latex, or synthetic rubber) to compound, expend, formulate, or in any manner make any substantial change in the form, shape, or chemical composition thereof.

(1) "Person" means any individual, corporation, partnership, association, or any other organized group-of persons, and includes any agency of the United States or any other government.

States or any other government.

(m) "NPA" means the National Production Authority.

Sec. 4. Limitation on inventory of dry natural rubber Inventories of dry natural rubber are subject to the provisions of NPA Reg. 1.

Sec. 5. Marking of butyl tubes. Every tire tube containing butyl (GR-I) synthetic rubber shall be marked by the manufacturer with one or more circumferential light blue stripes, applied on the base section of the tube, any one of which stripes shall be $^{3}_{6}$ inch minimum width. No other tire tube shall be so marked.

Sec. 6. Limitation on use of pale crepe. No person shall use or consume any pale crepe in the manufacture of pneumatic tires.

SEC. 7. Reports of rubber consumption and stocks—(a) Monthly reports. (1) Each person who consumes during any month, or owns at the end of any month, any type of rubber listed in this paragraph in an amount equal to or in excess of the amounts specified, shall file for such month a report on Form NPAF-3 in accordance with the instructions accompanying the form, by mailing one copy to the National Production Authority, Washington 25, D. C., on or before the tenth day of the following month. This report sets forth consumption, stocks, receipts, production, and shipments.

	mount
	ounds)
Dry natural rubber	15,000
Natural rubber latex	5,000
GR-S types, excluding latex 1	15,000
GR-S type latex 1	5,000
Neoprene, excluding latex	5,000
Neoprene latex	1,000
Butadiene-acrylonitrile types (N-	
type) excluding latex	5,000
Butadiene-acrylonitrile type (N-	•
type) latex	1.000
Butyl types 1	5,000
Reclaimed rubber	

¹Includes all types, whether obtained from Government or other sources, including imports.

(2) Those persons who are required to report on Form NPAF-3 and who consume rubber for the production of both transportation and nontransportation products shall also file a monthly report on Form NPAF-3A, showing separately consumption by type of rubber for each of the two product groups.

(b) Annual reports. Each person who, during any calendar year, consumes or owns any rubber of the types listed in paragraph (a) of this section which he has not reported on Form NPAF-3 during that year, shall file with NPA an annual report on Form NPAF-4 covering such unreported consumption and year-end inventories in accordance with the instructions accompanying the annual report form. One copy of Form NPAF-4 shall be mailed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-2, not later than the twentieth of January of each year.

Sec. 8. Reports by tire, tube, and camelback manufacturers—(a) Monthly reports. Each manufacturer of tires, tubes, and camelback shall file with NPA a report of his production, shipments, and inventory for each calendar month on Form NPAF—5 in accordance with the instructions accompanying the form.

(b) Weekly reports of cured tires. Each manufacturer of tires shall file with NPA a report of his production of cured tires for each week on Form NPAF-6 in accordance with the instructions accompanying the form.

Sec. 9. Records and reports. (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized represent-

atives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

Sec. 10. Request for adjustment or exception. Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. Communications. All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-2.

Sec. 12. Violations. Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

Note: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect March 26, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W. Auxier,
Executive Secretary.

[F. R. Doc. 53-2690; Filed, Mar. 26, 1953; 10:18 a. m.]

[NPA Order M-90, Revocation]
M-90—Color Television
REVOCATION

NPA Order M-90 (17 F. R. 5724) is hereby revoked.

This revocation does not relieve any person of any obligation or liability in-

curred under NPA Order M-90, as originally issued or as thereafter amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective March 26, 1953.

NATIONAL PRODUCTION
AUTHORITY,
By George W Auxier,
Executive Secretary.

[F. R. Doc. 53-2694; Filed, Mar. 26, 1953; 10:19 a. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 3, Amdt. 8] DFO-3—AGRICULTURAL IMPORTS MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred by section 704 of the Defense Production Act of 1950, as amended (64 Stat. 798; 65 Stat. 131, Pub. Law 429, 82d Cong., 50 U.S. C. App. Sup. 2061 et seq.) and having determined that the following amendment of Defense Food Order 3, as amended (17 F R. 6088, 8546, 11866) is necessary or appropriate to carry out the provisions of said act and the amended determination made by the Secretary of Agriculture under section 104 of the act, said Defense Food Order 3, as amended, is further amended as hereinafter set forth. Defense Food Order 3, as hereby amended, imposes over the commodities covered by such determinations the import controls contemplated by the act and, to effectuate such determinations, must be made effective as soon as possible. The order affects numerous segments of the economy but consultation has been held, to the extent practicable within the time available, with all such segments, including industry representatives.

SUMMARY OF AMENDMENT

Section 6 of Defense Food Order 3, as amended, provides that the Administrator will from time to time add commodities to or remove commodities from the list in Appendix A thereof in accordance with determinations by the Secretary of Agriculture under section 104 of the act. In order to implement the Secretary's amended determination, the designation of the following commodities currently in Appendix A is changed from "(B)" to "(A)" thereby removing them from thereby removing them from among the quota items and making them subject to the provisions applicable to items followed by the (A) designation: dried whole milk, dried buttermilk, and dried cream.

REGULATORY PROVISIONS

Appendix A of Defense Food Order 3, as amended (17 F. R. 6088, 8546, 11866) is hereby amended by deleting the listings "Dried whole milk (B)" "Dried buttermilk (B)" and "Dried cream (B)",

together with their applicable governing dates, and inserting, in lieu thereof, the following in the manner indicated:

Commodity	Commerce import class No.	Governing date
Dried whole milk (A)¹	0041.000	Apr. 1, 1953.
Dried buttermilk (A)¹	0041.200	Do.
Dried cream (A)¹	0041.300	Do.

¹ Quantities in transit to the United States prior to the governing date may be imported if within import authorization theretofore issued pursuant to DFO-3, as amended.

This amendment shall become effective at 12:01 a.m., e. s. t., April 1, 1953. With respect to violations, rights accrued, liabilities incurred, or appeals taken concerning Defense Food Order 3, as amended, prior to the effective date hereof, all the provisions of said Defense Food Order 3, as amended, in effect at the time when such violations occurred, rights accrued, liabilities were incurred, or appeals were taken shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Note: All reporting requirements of DFO-3 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 21st day of March 1953.

[SEAL] HOWARD H. GORDON,

Administrator Production

and Market Administration.

[F. R. Doc. 53-2681; Filed, Mar. 26, 1953; 10:05 a. m.]

[Defense Food Order 3, Sub-Order 3, Amdt. 4]
DFO-3—AGRICULTURAL IMPORTS

SO-3—STATEMENT OF POLICIES AND PRO-CEDURES RE IMPORT AUTHORIZATIONS FOR CERTAIN COMMODITIES

DRIED WHOLE MILK, DRIED BUTTERMILK,
AND DRIED CREAM

Sub-Order 3, as amended (17 F R. 6269, 8548, 10449, 11867) containing a statement of the policies and procedures relating to import authorizations for certain commodities under Defense Food Order 3, as amended (17 F R. 6088, 8546. 11866) was issued pursuant to the authority vested by said Defense Food Order 3 under sections 101, 104 and 704 of the Defense Production Act of 1950. as amended (64 Stat. 798; 65 Stat. 131. Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2061 et seq.) This amendment to Sub-Order 3 makes provision for the importation of certain in-transit shipments of dried whole milk, dried buttermilk, and dried cream, and the immediate issuance thereof is required to inform affected persons of such policies and procedures. This amendment affects various segments of the economy but consultation has been-held, to the extent practicable within the limited time available.

with such segments, including industry representatives.

SUMMARY OF AMENDMENT

The policies and procedures stated in Sub-Order 3 to Defense Food Order 3, as amended, relative to the issuance of authorizations for the importation of controlled commodities are further amended with respect to the importation of dried whole milk, dried buttermilk, and dried cream in transit to the United States prior to April 1, 1953.

REGULATORY PROVISIONS

Defense Food Order 3, Sub-Order 3, as amended (17 F R. 6269, 8548, 10449, 11867) is hereby amended in the following respects:

- 1. Delete the provisions of section 1 (b) Dried whole milk, dried buttermilk, and dried cream and insert, in lieu thereof, the following:
- (b) Dried whole milk, dried buttermilk, and dried cream. Any quantity of dried whole milk, dried buttermilk, or dried cream in transit to the United States prior to 12:01 a. m., e. s. t., April 1, 1953, and within import authorization theretofore issued pursuant to Defense Food Order 3, as amended, may be imported into the United States prior to July 1, 1953, when approved by the Director. An application for any such importation shall be submitted to the Director with documentary evidence establishing the in-transit status of the product.
- 2. Delete the words "by section 1 (b) (1) for dried whole milk, dried buttermilk, and dried cream, or" from the first sentence of section 2 (b) (1) 3. Delete the term "section 1 (b) (1)
- 3. Delete the term "section 1 (b) (1) or (c) (1) as the case may be," from the second sentence of section 2 and insert, in lieu thereof, the words "section 1_(c) (1)"

This amendment shall become effective at 12:01 a.m., e. s. t., April 1, 1953.

(Sec. 704, 64 Stat. 816; 65 Stat. 139; Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Note: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 25th day of March 1953.

[SEAL] R. H. ROBERTS,

Acting Director Office of

Requirements and Allocations.

[F: R. Doc. 53-2682; Filed, Mar. 26, 1953; 10:05 a. m.]

[Import Determination re DFO-3, Revision 3, Amdt. 1]

DETERMINATION RELATING TO IMPORTS UNDER DEFENSE PRODUCTION ACT

MISCELLANEOUS AMENDMENTS

On December 29, 1952 (17 F R. 11868), the Secretary of Agriculture made a determination, pursuant to the authority vested in him by section 104 of the Defense Production Act of 1950, as amended

(64 Stat. 798, 65 Stat. 132; Pub. Law 429, 82d Cong., 50 U.S. C. App. Sup. 2074), relating to certain imports (other than by the Government of the United States) during the period from July 1, 1952, through June 30, 1953, into the commerce of the United States. Such determina-tion was made upon the basis of facts then available and, as stated therein, is subject to revision whenever it is determined that such action is necessary or appropriate in effectuating the purposes of the act. Upon the basis of facts available at present, it is hereby determined that the revision, as hereinafter set forth, of the determination of December 29, 1952, is necessary or appropriate in effectuating the purposes of the act.

The Import Determination re DFO-3, Revision 3 (17 F. R. 11868) is hereby revised in the following respects:

- 1. Delete paragraphs (i) (j) (k) and (1) of section 2 and insert a new paragraph (i) reading as follows:
- (i) Any dried whole milk, dried buttermilk, or dried cream in transit to the United States prior to April 1, 1953, and the importation of which was authorized by an import authorization theretofore issued pursuant to the provisions of Defense Food Order 3, as amended (17 F. R. 6088, 8546, 11866)
- 2. Redesignate paragraphs (m) and (n) of section 2 as paragraphs (j) and (k) respectively.
- 3. Delete section 5 and redesignate section 6 as section 5.

The provisions hereof shall become effective at 12:01 a.m., e. s. t., April 1, 1953. The determination of December 29, 1952 (17 F. R. 11868) under section 104 of the Defense Production Act of 1950, as amended, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action or other proceeding concerning any violation, right accrued, liability incurred, or appeal taken under or with respect to said determination or Defense Food Order 3, issued August 9, 1951, as amended (16 F. R. 7934, 8272; 17 F. R. 4490, 5829, 6088, 8546, 11866) prior to the effective date hereof.

(Sec. 704, 64 Stat. 816; 65 Stat. 132; Pub. Law 429, 82d Cong.; 50 U.S. C. App. Sup. 2154)

Issued at Washington, D. C., this 21st day of March 1953.

[SEAL] EZRA TAFT BENSON, Secretary of Agriculture.

[F. R. Doc 53-2683; Filed, Mar. 26, 1953; 10:05 a. m.]

TITLE 33—NAVIGATION AND **NAVIGABLE WATERS**

Chapter II-Corps of Engineers, Department of the Army

PART 207-NAVIGATION REGULATIONS DULUTH-SUPERIOR HARBOR, MINNESOTA AND WISCONSIN

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S. C. 499) the provisions of § 207.400 relating to bridges crossing the channels of Duluth-Superior Harbor,

Minnesota and Wisconsin, are hereby amended by inclusion of special regulations for the operation of the Transfer Bridge on three hours' advance notice and deletion of material pertaining to the former Lamborn Avenue bridge which has been removed from the waterway, as follows:

§ 207.400 Duluth-Superior Harbor Minn. and Wis., use, administration, and navigation, bridge, and dumping regulations—(a) Navigation regulations-(1) Speed of vessels. (1) Vessels will not be restricted as to speed while passing through the channels between entrance piers, but vessels of 300 gross tons and upward shall not exceed 8 miles per hour while running through any of the dredged channels within the harbor.

(ii) When approaching a bridge (excepting the Duluth Ship Canal bridge) the speed shall be reduced enough to enable the vessel, in case the draw fails to open, to come to a dead stop without

striking the bridge.

(iii) No restrictions as to speed are required for passing the Duluth Ship Canal bridge. However, vessels approaching this bridge should make such reductions in speed as the currents and weather conditions will permit and still allow for safe passage through the canal.

- (iv) While passing all other bridges under ordinary conditions of weather the speed should not exceed 6 miles per hour. A greater speed will be allowed when necessary for steerage as when running light in a wind. The signals (described in paragraph (b) (2) and (3) of this section) should be passed between the vessel and the bridge in sufficient time to enable the captain of the steamer always to have his boat under control.
- (v) A steamer must employ a tug or tugs whenever the conditions of weather or currents make the passage difficult or dangerous to either the vessel or the bridge.
- (2) Passing in Duluth Ship Canal. Self-propelled vessels exceeding 300 gross tons, and barges or scows exceeding (light) 100 displacement tons, shall not pass within the canal. Inbound vessels shall have the right of way.
- (3) Rajts. Before a raft may be towed through any of the entrances, channels, or basins of the Duluth-Superior Harbor application shall be made to the District Engineer of the Engineer Department in charge of the locality for specific permission and instructions.

(4) Anchorage of vessels. (i) Vessels shall not anchor in the entrance canals. or in any of the navigable channels, except in the harbor basins, and then only where not in the way of passing vessels.

(ii) Vessels and rafts shall not be anchored or otherwise fastened where they are liable to swing into the channels by reason of a wind or current.

(iii) The position and arrangement of vessels lying at anchor in the harbor basin shall be subject to the direction of the District Engineer Officer in charge of the locality, or his authorized representatives, and vessels shall, when so directed, promptly shift their position to another part of the basin.

(5) Dragging anchors. No vessel shall be towed while the anchor of such vessel is down or dragging at the bottom of the channel.

(6) Towing through bridges. Freight steamers shall not tow consorts astern while passing through the bridges of this harbor, the Duluth Ship Canal bridge excepted. Towing alongside the steamer will, however, be permitted.

(7) Patrol signals. (i) Three short blasts of the signal whistle when sounded from a patrolling vessel will mdicate that the vessel to which such signal is given is proceeding at too high a rate of speed, and such vessel must immediately moderate its speed.

(ii) Three long blasts of the signal whistle followed by two short blasts when sounded from a patrolling vessel, will indicate that the vessel to which such signal is given must stop until further orders from the patrolling vessel.

(iii) One long blast, followed by four short blasts, when sounded from the patrolling vessel, will indicate that the vessel to which such signal is given may proceed on its course.

(8) Other requirements. (i) No vessel shall be moored to any United States pier.

(ii) No material of any kind shall be loaded on or loaded from the United States piers, except for the use of the United States, unless by special permission of the Engineer Officer in charge in each case.

(iii) Yessels shall take great care not to run into, strike, rub against, or otherwise injure the United States piers, buoys, or beacons in the harbor.

(iv) Dredges and attending scows and tugs are expected and required to give half the channel for passing vessels, and the latter are required to do the same when passing the dredges or other craft.

(v) Where there are two or more channels leading to a given point, in one of which improvement work is going on, the latter channel may be temporarily closed to navigation by the District En-

gineer, after due notice.
(b) Bridge regulations—(1) Bridge of the Duluth, Missabe and Iron Range Railway Company (Transfer Bridge) between Oliver, Wis., and New Duluth, Minn. (i) The owner of or agency controlling this bridge will not be required to keep draw tenders in constant attendance.

(ii) Whenever a vessel unable to pass under the closed bridge desires to pass through the draw, at least three hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

Note: The person then in charge of the Duluth, Missabe and Iron Range Railway Company Ore Dock Office at the foot of 35th Avenue West in the City of Duluth shall be considered as the authorized representative.

(iii) Upon receipt of such advance notice the authorized representative shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(iv) The owner of or agency controlling this bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can easily be read

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at any time, a copy of these regulations, together with a notice stating exactly how the authorized representative may be reached by telephone or otherwise.

(v) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw shall be opened and closed at intervals frequent enough to make certain the machinery is in proper order for satisfactory operation.

(2) Signals for opening bridges. (i) Following are the number and kind of blasts of the signal whistle or of a horn when a vessel is not navigated by steam or Diesel power, which shall be given as a signal for opening the respective bridges:

Duluth Ship Canal bridge, 3 long blasts. Interstate (Duluth-Superior) bridge, 1 long, 1 short, 1 long.

Minnesota draw, Northern Pacific Railway bridge, 1 long, 2 short.

Wisconsin draw, Northern Pacific Railway bridge, 2 long, 2 short.

Grassy Point bridge, 2 short, 1 long. Arrowhead bridge (Twin Ports), 3 long

The duration of a long blast should not exceed 3 seconds, and a short blast should not exceed 1 second.

(ii) The signal for opening a bridge should ordinarily be given when the vessel is about half a mile away, but the distance should be more or less according to the vessel's speed, the object being to give sufficient time for the tender to open the draw. The signal should not be given too far away, nor too soon, to cause unnecessary interference to traffic over the bridge. In the case of the Duluth Ship Canal bridge, vessels approaching from the lake shall signal for an opening, in all circumstances, when not less than one-half mile distant from the bridge.

(iii) After giving the signal for opening the bridge the pilot should watch for the return signals from the bridge tender described in subparagraph (3) of this paragraph, and be governed accordingly. If a return signal should not be received at once the vessel shall be checked and prepared to stop before reaching the bridge, and the opening signal shall be repeated. (See subparagraph (3) (iv) of this paragraph for Duluth Ship Canal bridge.)

(3) Signals by bridge tenders. (i) Each of the bridges mentioned in subparagraph (2) (i) of this paragraph must be provided with a signal of sufficient strength of sound to be heard distinctly three-fourths of a mile in any condition of weather.

(ii) Upon receiving a signal for opening the draw the tender shall at once answer with a return signal, which shall be the same as the signal for opening. to indicate that the vessel signal has been heard. The tender shall take note of the vessel's position and speed, and open the bridge in time to allow the vessel to pass through. (See, however, subdivision (iii) of this subparagraph.)

(iii) In case the bridge, other than the Duluth Ship Canal bridge (see subdivision (iv) of this subparagraph) is not ready to open at the time of receiving a signal, or very soon thereafter for any cause, as for instance when a train is passing over or in case the bridge should be so disabled that it cannot be opened at all, the tender will answer the vessel with five short blasts given in quick succession, as a signal to check down and stop. As soon as the bridge is ready to open, he will give the return signal stated in subdivision (ii) of this subparagraph.

(iv) In case the Duluth Ship Canal bridge is disabled, the bridge authorities must give incoming and outgoing vessels timely and dependable notice, by tug service if necessary, so that they will not attempt to enter the canal. At all other times the bridge tender must lift the bridge promptly on receiving signal to do so. In case of a sudden breakdown during the lifting operation, five short blasts shall be given as a danger signal.

(v) Vessels must be given precedence over highway or railway traffic. When a signal is given by a vessel to open the bridge, a railroad train or any vehicle that may be approaching to cross the bridge must be required to wait for the vessel to pass: Provided, however That except at the Duluth Ship Canal bridge, vessels of 100 gross tons or under may be held for a short period in case a firstclass passenger train carrying United States mails is ready to cross the bridge.

(4) Equipment. Each of the bridges mentioned in subparagraph (2) (i) of this paragraph must be provided with suitable power and mechanical appliances and sufficient crew, so that the draw can be opened promptly for a vessel to pass. The tender's house shall be high enough to clear trains, busses, trucks or other vehicles, and allow the tender to see readily the channels in all directions. All bridges must be lighted as required by the United States Coast Guard.

(c) Dumping regulations. All dredging, earth, garbage and other refuse material of every kind and description, taken from the Duluth-Superior Harbor into Lake Superior to be dumped, shall be deposited at such points as shall be designated and marked by the District Engineer, at a distance not less than one mile nor more than two miles from the lake entrance of the Duluth Ship Canal. and at the same distance from the outer entrance to the Superior Entry. Provided, That no material shall be deposited where the depth of water is less than 50 feet at the time of dumping.

[Regs., Mar. 10, 1953, 800.211-ENGWO] (28 Stat. 362; 33 U.S. C. 499)

Wm. E. Bergin, Major General, U S. Army, The Adjutant General.

[F. R. Doc. 53-2639; Filed, Mar. 26, 1953; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4-DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

- 1. In § 4.84, paragraph (a) (1) (iv) is amended to read as follows:
- § 4.84 General Law and service acts.

- (a) Termination by limitation—(1) Widows and remarried widows.
- (iv) Adulterous cohabitation: The effective date of termination shall be the day preceding the commencement of open and notorious adulterous cohabitation when forfeiture has been incurred under § 4.102,
- § 4.86, 2. In paragraph (h) amended to read as follows:
- § 4.86 Public No. 2, 73d Congress (act of March 20, 1933), as amended; sections 28 and 31, Title III, Public No. 141, 73d Congress (act of March 28, 1934), as amended, Public No. 484, 73d Congress (act of June 28, 1934), as amended, and Public Law 301, 79th Congress (act of February 18, 1946) February 18, 1946)
- (h) Fraud. Where, subsequent to the approval of an award, fraud is shown to have been committed prior to approval of such award by the person receiving pension or compensation or with his or her knowledge, the effective date of discontinuance shall be as of the effective date of the award to such person. If the fraud was committed subsequent to the approval of the award, the effective date of discontinuance shall be as of the day preceding the date of commitment of the fraud.
- 3. The cross reference "Receipt for Active Service, etc." immediately preceding § 4.88 is deleted.
- 4. Section 4.102 is revised to read as follows:
- § 4.102 Open and notorious adulterous cohabitation. For the purposes of the General Law, the service pension acts granting pension to widows of Civil and Indian War veterans, and the pension laws reenacted by Public No. 141. 73d Congress (act of March 28, 1934), and Public No. 269, 74th Congress (act of August 13, 1935), the open and notorious adulterous cohabitation of a widow who is a pensioner or is a claimant for pension shall operate to terminate her entitlement from the day preceding the commencement of such cohabitation.

(Sec. 2, 22 Stat. 345; 38 U.S. C. 199)

- 5. Section 4.107 is revised to read as follows:
- § 4.107 Forfeiture of benefits by a veteran as it relates to claims for death benefits. Forfeiture of benefits by a veteran under the provisions of section 504, World War Veterans' Act, 1924, as amended, or section 15 of Public No. 2. 73d Congress, shall not preclude (a) payments of death compensation benefits for service-connected death or (b) payments of death pension benefits, on and after October 17, 1940, under Public No. 484, 73d Congress, as amended: Provided, That no compensation or pension shall be paid to any dependent who has participated in the fraud for which the forfeiture was imposed. In forfeiture cases, death pension benefits under Public No. 484, as amended, may not be awarded for any period prior to October 17, 1940.

(Sec. 9, 54 Stat. 1196; 38 U.S. C. 555a, 715a)

(Sec. 5, 43 Stat. 608, amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective March 27, 1953.

[SEAL]

H. V. STIRLING, Deputy Administrator

[F. R. Doc. 53-2644; Filed, Mar. 26, 1953; 8:52 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 965]

[Docket No. AO-166-A16]

Handling of Milk in Cincinnati, Ohio, Marketing Area

DECISION WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS ALIENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Cincinnati, Ohio, on December 16, 1952, pursuant to notice thereof which was issued on December 9, 1952 (17 F. R. 11242) Upon the basis of the evidence introduced at the hearing and the record thereof the Assistant Administrator, Production and Marketing Administration, on February 16, 1953, filed with the Hearing Clerk, United States Department of Agriculture his recommended decision and opportunity to file written exceptions thereto, which was published in the Federal Register on February 19, 1953 (18 F. R. 985)

The material issues presented on the record relate to:

1. The pricing of Class I milk in March.

2. Marketing service deductions.

Findings and conclusions. The following findings and conclusions are based upon the evidence submitted at the hearing and the record thereof.

Pricing of Class I milk in March. No change should be made in the pricing of Class I milk for March.

Pursuant to the present pricing provisions of the order, the amount added to the basic formula price (hereinafter referred to as the Class I differential) to determine the Class I price cannot be lower in December, January, or February than it was in the immediately preceding November. It was proposed that March also be included as a month during which the Class I differential could not be lower than in the preceding November.

Production of producer milk for the market usually reaches its seasonal low in November or December and increases seasonally from then to May or June. Analysis of the increases in average daily production of producer milk from December to January, January to February, and February to March during the last four years indicates that, except in the winter of 1949-1950, the increase from February to March was greatest. In the 1949-1950 period the increase from January to February slightly exceeded the increase from February to March. Of the last four fall and winter periods, March average daily production of producer milk exceeded average daily production during each of the preceding months of September through February in two years, during each of the preceding months of October through February in one year, and during each of the preceding months of November through February in the other year. In March average daily production of producer milk is usually over one-fourth greater than it was during the month of lowest production.

This analysis would indicate no need for maintaining the March Class I differential at the same rate prevailing during the month of November.

The record shows no unusual conditions currently existing or in prospect which would justify a higher Class I differential in March 1953 than should normally be provided for the month of March.

Marketing service deductions. The marketing service deduction for producers for whom the market administrator performs marketing services should be increased to 6 cents per hundredweight of milk. The present rate of deduction is 4 cents per hundredweight of milk.

The market administrator is not currently receiving sufficient funds from the marketing service deductions to adequately perform the marketing services which the order requires. His experiences in Cincinnati and in other markets in which he is also market administrator indicate that in order to assure sufficient funds in Cincinnati to adequately perform the marketing services required by the order, a maximum permissible rate of marketing service deduction of 6 cents per hundredweight of milk should be provided. This rate of marketing service deduction and the income resulting therefrom would be similar to the rates and income pursuant to other Ohio orders.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act:

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed market-

ing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Rulings. All of the rulings contained in the aforesaid recommended decision are affirmed, except that in the statement "In the last 12 months the average production of milk per producer has averaged about 7000 pounds," the figure "7000" should be "70,000" Exceptions filed by interested parties were carefully considered along with the evidence in the record in making the findings and reaching the conclusions herein set forth. To the extent that the findings and conclusions contained herein are inconsistent with the exceptions, the exceptions are denied on the basis of the facts found and stated herein.

Determination of representative period. The month of January 1953 is hereby determined to be the representative period for the purpose of ascertaming whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such order as amended.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area," and "Order Amending the Order. as Amended, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 24th day of March 1953.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

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Order Amending the Order as Amended, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area

§ 965.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act:

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest: and

(3) The said order, as amended, and as hereby further amended, regulates the

handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

Amend § 965.75 (a) to read as follows:

(a) The market administrator shall deduct an amount not exceeding 6 cents per hundredweight (the exact amount to be determined by the market administrator) from the payments made pursuant to § 965.73 (b) with respect to the milk of those producers for whom the marketing services set forth in paragraph (b) of this section are not being performed by a cooperative association which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," for the purpose of performing the services set forth in paragraph (b) of this section.

[F. R. Doc. 53-2646; Filed, Mar. 26, 1953; 8:53 a. m.]

[7 CFR Part 983]

Type 62 Shade-Grown Cigar-Leaf Tobacco Grown in Designated Production Area of Florida and Georgia

PROPOSED EXPENSES AND RATE OF ASSESS-MENT FOR FISCAL PERIOD BEGINNING FEBRUARY 1, 1953

Consideration is being given to the following proposals submitted by the Control Committee, established under Marketing Agreement No. 112 and Order No. 83 (17 F R. 4971, 5002, 5058; 7 CFR Part 983) regulating the handling

of Type 62 shade-grown cigar-leaf tobacco grown in the designated area of Florida and Georgia, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses in the amount of \$7,500 are reasonable and are likely to be incurred by the Control Committee (established under the foregoing marketing agreement and order) for its maintenance and functioning during the fiscal period beginning February 1, 1953, and ending January 31, 1954, inclusive, and (2) that the Secretary fix the rate of assessment. which each handler shall pay during the aforesaid fiscal period in accordance with the applicable provisions of the said marketing agreement and order as the respective handler's pro rata share of the aforesaid expenses, at \$1.25 per 1,000 pounds of tobacco handled by such handler as the first handler thereof during the fiscal period beginning February 1, 1953, and ending January 31, 1954, inclusive.

The terms used herein shall have the same meaning as when used in said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals may file the same with the Director, Tobacco Branch, Production and Marketing Administration, Room 4741, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the Federal Register, All documents should be filed in quadruplicate.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 23d day of March 1953.

[SEAL] J. E. THIGPEN,
Director Tobacco Branch, Production and Marketing Administration.

[F. R. Doc. 53-2638; Filed, Mar. 26, 1953; 8:51 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. E-6486] MONTANA POWER CO. NOTICE OF APPLICATION

March 20, 1953.

Take notice that on March 19, 1953, an application was filed with the Federal Power Commission, pursuant to section

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

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204 of the Federal Power Act by the Montana Power Company, a corporation organized under the laws of the State of New Jersey, and doing business in the States of Montana, Idaho and Wyoming, with its principal business office in Butte. Montana, seeking an order authorizing the issuance of \$18,000,000 principal amount of ____ percent Sinking Fund Debentures due 1978; said Debentures are to be issued under a Debenture Agreement, dated as of May 1, 1953, between the Applicant and City Bank Farmers Trust Company, as Trustee. Applicant proposes to issue said Debentures by competitive bidding; all as

more fully appear in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 10th day of April 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-2618; Filed, Mar. 26, 1953; 8:46 a. m.]

[Docket Nos. G-1445, G-1680] MIDSOUTH GAS CO.

NOTICE OF ORDER AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 23. 1953.

Notice is hereby given that on March 23, 1953, the Federal Power Commission issued its order entered March 19, 1953, amending order (17 F. R. 8598) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-2619; Filed, Mar. 26, 1953; 8:47 a. m.]

[Docket Nos. 1473, 1649, 1693, 1727, 1737]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

NOTICE OF ORDER AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

March 23, 1953.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama-Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649; Shippensburg Gas Company, Docket No. G-1727; Consumers Gas Company, Docket No. G-1737.

Notice is hereby given that on March 23, 1953, the Federal Power Commission issued its order entered March 19, 1953, amending order (17 F. R. 6287) issuing certificate of public convenience and necessity in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-2620; Filed, Mar. 26, 1953; 8:47 a. m.]

[Docket Nos. G-2060, G-2061]

MANUFACTURERS LIGHT AND HEAT CO. ET AL.

NOTICE OF FINDINGS AND ORDERS

March 23, 1953.

In the matters of the Manufacturers Light and Heat Company, Cumberland and Allegheny Gas Company, Docket No. G-2060; United Fuel Gas Company, Docket No. G-2061.

Notice is hereby given that on March 23, 1953, the Federal Power Commission issued its orders entered March 19, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 53-2621; Filed, Mar. 26, 1953; 8:47 a. m.]

[Docket No. G-2112] CITIES SERVICE GAS Co.

ORDER FIXING DATE OF HEARING

March 19, 1953.

On January 22, 1953, Cities Service Gas Company (Applicant), a corpora-

tion having its principal place of business at Oklahoma City, Oklahoma, filed an application and on February 2, 1953, additional data to that application, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the Federal Register on February 7, 1953 (18 F. R. 807)

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on April 14, 1953, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issue presented by such application as supplemented: Provided, however That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and

procedure.

Date of issuance: March 23, 1953.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-2622; Filed, Mar. 26, 1953; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR-1-768]

PROPELLER SERVICE CORP.

NOTICE OF ORAL ARGUMENT

In the matter of F. B. Lee, Acting Administrator of Civil Aeronautics, complainant v. Propeller Service Cor-

poration, respondent.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above entitled proceeding is assigned to be held on April 16, 1953, at 10:00 a. m. in Room 5042, Commerca Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

The order of appearances and time allotments are as follows:

Time allotted

arty: (minutes)
Respondent: Propeller Service Cor-

poration______40
Complainant: Administrator of Civil

for rebuttal.

Dated at Washington, D. C., March 24, 1953.

[SEAL]

FRANCIS W. BROWN, Chief Examiner.

[F. R. Doc. 53-2645; Filed, Mar. 26, 1953; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 53-15]

NORTHERN NEW ENGLAND CO. AND NEW ENGLAND PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER APPROVING AMERICALIZATES TO PLANS

March 23, 1953.

The Commission, on February 13, 1953, having approved an amended plan of New England Public Service Company ("NEFSCO") and a plan of its parent Northern New England Company ("Northern"), both registered holding companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, which plans provide, in brief, for the distribution of their assets to their respective security holders and for their liquidation and dissolution; and

The NEPSCO plan providing in part that NEPSCO reserves the right to amend it with the approval of the other parties to the stipulation pursuant to which said plan was filed, and of the Commission, and the Northern plan providing in part that Northern reserves the right to amend it with the approval

of the Commission; and
NEPSCO and Northern having filed, in
March 1953, amendments to their respective plans, which provide in effect
that the date of mailing and date of publication of the initial notice to be given
by the Liquidation Trustee and the Liquidation Agent to the security holders of
NEPSCO and Northern of their rights to
the distributions provided by the plans
be determined by order of the United
States District Court for the District of
Maine in proceedings pending before
that Court for the enforcement of the
plans; such notice to be in lieu of the
notice periods specified in the plans; and

It appearing that NEPSCO and Northern mailed copies of said amendments to all persons, or their counsel, who appeared at the hearings before the Commission on said plans, and that said amendment to the NEPSCO plan has been approved by all parties to said stipulation; and

The Commission having considered said amendments and finding that they may appropriately be approved and that said plans of NEPSCO and Northern, as amended thereby, are necessary to effectuate the provisions of section 11 (b) of

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the act and are fair and equitable to the persons affected thereby.

It is ordered, That said amendments, and said plans of NEPSCO and Northern, as amended thereby be, and the same hereby are, approved subject to the terms and conditions set forth in the Commission's order herein dated February 13, 1953.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

Doc 53_9693: Filed Mar 96 10

[F. R. Doc. 53-2623; Filed, Mar. 26, 1953; 8:48 a. m.]

[File No. 70-3020]

LOUISIANA POWER & LIGHT CO.

NOTICE OF FILING CONCERNING REDEMPTION OF OUTSTANDING PREFERRED STOCK AND ISSUANCE AND SALE OF PREFERRED STOCK

March 23, 1953.

Notice is hereby given that Louisiana Power & Light Company ("Louisiana") a utility subsidiary of Middle South Utilities, Inc. ("Middle South") a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and has designated sections 6 (a) 7, and 12 (c) thereof and Rules U-42 and U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Louisiana presently has outstanding 59,422 shares of \$6 preferred stock without par value excluding 578 shares reacquired by the Company. Louisiana proposes (a) to call the outstanding \$6 preferred stock for redemption at the redemption price of \$110 per share plus an amount equal to accumulated unpaid dividends thereon at the redemption rate; (b) to reduce the capital of the Company by the retirement of the 60,000 shares of the \$6 preferred stock; (c) to amend its charter to provide for the authorization of new preferred stock; (d) to authorize the issuance of 60,000 shares of new __ percent preferred stock of \$100 par value per share.

Louisiana proposes to issue and sell the new preferred stock to the public through underwriters who will be invited to submit bids for such stock pursuant to the competitive bidding requirements of Rule U-50. Such bids will specify the dividend rate, to be a multiple of ½5 of 1 percent, and the price of the new preferred stock to be paid the Company (to be not less than \$100 nor more 'than \$102.75 per share plus accrued dividends)

In connection with the redemption of the outstanding \$6 preferred stock, Louisiana requests authority to borrow such funds as are necessary pursuant to an accommodation bank loan, such borrowing to be repaid forthwith from funds obtained from the sale of the new preferred stock.

The declaration of Louisiana also states that it is contemplated that concurrently with the transactions set forth above, Louisiana will sell 1,800,000 shares of common stock to Middle South for a

cash consideration of \$7,000,000. When such stock is sold, Louisiana will transfer \$2,000,000 from its earned surplus account to its common capital stock account. These matters, however, will be the subject of a separate declaration.

Notice is further given that any interested person may not later than April 7, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said dec-laration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 7, 1953, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file at the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-2625; Filed, Mar. 26, 1953; 8:48 a. m.]

[File No. 70-3021]

MIDDLE SOUTH UTILITIES, INC., AND LOUISIANA POWER & LIGHT CO.

NOTICE OF FILING CONCERNING SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT FOR CASH CONSIDERATION

MARCH 23, 1953.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South") a registered holding company, and one of its subsidiaries, Louisiana Power & Light Company ("Louisiana") have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, and have designated sections 6 (a) 7, 9 (a) 10, and 12 (f) thereof as applicable to the proposed transactions, which are summarized as follows:

Louisiana has outstanding 3,400,000 shares of its no par value common stock, having a stated value of \$17,000,000, all of which shares are owned by Middle South. Louisiana proposes to issue and sell, and Middle South proposes to acquire, 1,800,000 additional shares of Louisiana's common stock for an aggregate cash consideration of \$7,000,000. Concurrently with this transaction, Louisiana proposes to transfer \$2,000,000 from its earned surplus account to its common capital stock account.

Louisiana presently has authorized 5,000,000 shares of common stock and proposes to amend its charter at a special meeting of stockholders to be held on or about April 28, 1953, so as to

increase its authorized common stock to 10,000,000 shares.

The application-declaration states that funds for the purchase of the Louisiana stock by Middle South will be obtained from the proceeds of bank loans to be made by Middle South, pursuant to a Credit Agreement previously authorized by the Commission on June 3, 1952 (File No. 70–2869) Proceeds from the sale of common stock are to be used by Louisiana in connection with its construction program.

Notice is further given that any interested person may, not later than April 7, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any raised by the said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 7, 1953, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said joint applicationdeclaration which is on file at the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F R. Doc. 53-2624; Filed, Mar. 26, 1953; 8:48 a. m.]

[File No. 70-3022]

MIDDLE SOUTH UTILITIES, INC.

NOTICE OF FILING CONCERNING ISSUANCE AND SALE OF COMMON STOCK PURSUANT TO RIGHTS OFFERING

March 23, 1953.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company has filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 6 (a) and 7 thereof as applicable to the proposed transactions which are summarized as follows:

Middle South proposes to issue and sell, without underwriting, 475,000 additional shares of its authorized but unissued common stock pursuant to a rights offering to its stockholders on the basis of one share of additional common stock for each fourteen shares held as of the record date, at a price to be fixed prior to the offering. The additional shares are to be offered to stockholders of record at the close of business on April 8, 1953. The subscription period will expire at 3:30 p. m., New York time, on April 28, 1953. The subscription rights will be evidenced by transferable war-

right to subscribe for one new share for each fourteen shares held (the "primary right") and to subscribe, subject to allotment, for each additional number of shares as the warrant holder may elect (the "additional right") No fractional shares will be issued. The warrant agent will endeavor, without charge to the warrant holder, to buy or sell such primary rights as are required to increase or decrease any warrant holder's holding of rights to an amount entitling him to subscribe to one or more full shares, but not more than thirteen rights will be bought or sold in any one transaction. The expenses of the warrant agent in performing this service will be borne by the Company.

In the event that the aggregate number of shares subscribed for exceeds 475,-000 shares, the shares remaining after providing for the issuance of shares subscribed for pursuant to the exercise of the primary right will be allocated pro rata, as nearly as practicable, to the warrant holders exercising the additional rights in accordance with the respective number of shares subscribed for by such holders pursuant to the primary right.

Warrants issued to common stockholders whose addresses are outside the continental United States or Canada will not be mailed but will be held by the agent for their accounts until 12:00 o'clock noon, New York Time, April 27, 1953, when, if no instructions are received, they will be sold to the extent practicable. The net proceeds from any such sales are to be held for the account of such stockholders.

The declaration states that proceeds from the proposed sale of stock, together with other funds, will be used by Middle South for investments in the common stocks of its subsidiaries, aggregating \$27,000,000 in the years 1953 and 1954, for use by them in connection with their construction program. It is estimated that the subsidiaries' construction program will require the expenditure of approximately \$91,000,000 in 1953, and approximately \$50,000,000 in 1954.

Notice is further given that any interested person may, not later than April 6, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said dec-laration which he desires to controvert. or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 6, 1953, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file at the offices of this Commission

therein proposed.

By the Commission.

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 53-2626; Filed, Mar. 26, 1953; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27907]

BRICK AND RELATED ARTICLES FROM MASON CITY, ROCKFORD, AND SHEFFIELD, IOWA, TO FARGO, N. DAK.

APPLICATION FOR RELIEF

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedules listed below.

Commodities involved: Brick and related articles, also drain tile, carloads.

From: Mason City, Rockford, and Sheffield, Iowa.

To: Fargo, N. Dak.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: CMStP&P RR. tariff I. C. C. No. B-7535, Supp. 71, CRI&P RR. tariff I. C. C. No. C-13468, Original; M&StL Ry. tariff I. C. C. No. B-1012, Supp. 85.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2628; Filed, Mar. 26, 1953; 8:49 a. m.]

[4th Sec. Application 27903]

SUGAR FROM SAVANNAH AND PORT WENT-WORTH, GA., TO BRISTOL, VA.-TENIL

APPLICATION FOR RELIEP

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul

rants which will afford the holder the for a statement of the transactions provision of section 4 (1) of the Interstate Commerce Act.

Filed by. R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Sugar, beet or cane, also liquid or invert sugar, beet or cane, carloads.

From: Savannah and Port Wentworth, Ga.

To: Bristol, Va.-Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes, and port competition.

Schedules filed containing proposed rates: W. P. Emerson, Jr., Agent, I. C. C. No. 380, Supp. 166.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2629; Filed, Mar. 26, 1953; 8:49 a. m.]

[4th Sec. Application 27909]

ALCOHOL AND RELATED ARTICLES FROM TEXAS, Arkansas, Louisiana, and OKLAHOMA, TO NEW PHILADELPHIA, OHIO

APPLICATION FOR RELIEF

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Alcohol and related articles, carloads.

From: Houston, Orange, Port Arthur, Texas City, Velasco, Winnie, Bishop, and Brownsville, Tex., Crossett, Ark., Sterlington, La., and Tallant, Okla.

To: New Philadelphia, Ohio.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No.

3721, Supp. 248.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice

of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2630; Filed, Mar. 26, 1953; 8:49 a. m.]

[4th Sec. Application 27910]

FRESH MEATS FROM POINTS IN ILLINOIS, IOWA, WISCONSIN, AND MISSOURI, TO TEXAS GULF PORTS AND LAKE CHARLES, LA.

APPLICATION FOR RELIEF

March 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. M. Engdahl, Agent, for carriers parties to schedule listed below.

Commodities involved: Fresh meats as described in appendix of the application, carloads.

From: Points in Illinois, Iowa, Wisconsin, and Missouri.

To: Texas gulf ports and Lake Charles, La., for export.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain port rate relations.

Schedules filed containing proposed rates: H. M. Engdahl, Agent, I. C. C. No.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53–2631; Filed, Mar. 26, 1953; 8:49 a. m.]

[4th Sec. Application 27911]

FLY ASH FROM LOUISVILLE, KY., TO TEXAS AND OKLAHOMA

APPLICATION FOR RELIEF

March 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedules listed below. Commodities involved: Fly ash, car-

loads.

From: Louisville, Ky.

To: Points in Texas and Oklahoma. Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3912, Supp. 181, F C. Kratzmeir, Agent, I. C. C. No. 3899, Supp. 133; F C. Kratzmeir, Agent, I. C. C. No. 3919, Supp.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2632; Filed, Mar. 26, 1953; 8:50 a. m.]

[4th Sec. Application 27912]

SAND, GRAVEL AND CRUSHED STONE FROM INDIANA TO MATTOON, ILL.

APPLICATION FOR RELIEF

March 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for the New York Central Railroad Company and Illinois Central Railroad Company.

Commodities involved: Sand, gravel, and crushed stone, carloads.

From: Points in Indiana.

To: Mattoon, III.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates: N. Y. C. RR. Tariff I. C. C. No. 1198, Supp. 44; N. Y. C. RR. Tariff I. C. C.

No. 176, Supp. 368; I. C. RR. Tariff I. C. C.

No. A-11687, Supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with rospect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2633; Filed, Mar. 26, 1953; 8:50 a. m.]

[4th Sec. Application 27913]

PETROLEUM PRODUCTS FROM MEMPHIS TO CLARKSVILLE, TENN.

APPLICATION FOR RELIEF

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by The Illinois Central Railroad Company, for itself and on behalf of the Tennessee Central Railway Company.

Commodities involved: Gasoline and other petroleum products, in tank-car loads.

From: Memphis, Tenn. To: Clarksville, Tenn.

Grounds for relief: To meet intrastate

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD. Acting Secretary.

[F. R. Doc. 53-2634; Filed, Mar. 28, 1953; 8:50 a. m.]

[4th Sec. Application 27914]

BARITE FROM BUTTERFIELD AND MALVERN, ARK., FOUNTAIN FARM AND MINERAL POINT, Mo., TO PROVO, UTAH

APPLICATION FOR RELIEF

March 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below. Commodities involved: Barite (bar-

ytes) carloads. From: Butterfield and Malvern, Ark., Fountain Farm and Mineral Point, Mo.

To: Provo, Utah.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C.

No. 3973, Supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 53-2635; Filed, Mar. 26, 1953; 8:50 a. m.]

[4th Sec. Application 27915]

BARITE FROM BUTTERFIELD AND MALVERN, ARK., TO POINTS IN COLORADO, WYO-MING AND UTAH

APPLICATION FOR RELIEF

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Barite (barvtes) carloads.

From: Butterfield and Malvern, Ark, To: Points in Colorado, Wyoming, and

Grounds for relief: Circuitous routes and to maintain rates over short tariff

No. 59---3

short line distance formula.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No.

3973, Supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

GEORGE W LAIRD, Acting Secretary.

[F. R. Doc. 53-2636; Filed, Mar. 26, 1953; 8:50 a. m.]

[4th Sec. Application 27916]

BILLETS AND RELATED ARTICLES FROM PITTSBURGH, PA., AND WHEELING, W. VA., TO ANNISTON AND BIRMINGHAM, ALA., AND WEST POINT, GA.

APPLICATION FOR RELIEF

MARCH 24, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for carriers parties to his tariff I. C. C. No.

Commodities involved: Iron and steel articles, viz.. billets, blooms, ingots, and slabs, carloads.

From: Pittsburgh, Pa., and Wheeling, W. Va., and points grouped therewith.

To: Anniston, Ala., Birmingham, Ala., and points grouped therewith, and West Point, Ga.

Grounds for relief: Circuitous routes and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

routes constructed on the basis of the ing, upon a request filed within that period, may be held subsequently.

By the Commission.

GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 53-2637; Filed, Mar. 26, 1953; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19198]

WALDELIAR STOEKER

In re: Debt owing to Waldemar Stocker. F-28-32070-E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U.S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Waldemar Stocker, whose last known address is Pivitsheide 32, Detmold, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany, and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of the Bank of New York, 48 Wall Street, New York 15, New York, in the amount of \$218.75 as of December 31, 1945, representing a proportionate share of the assets of the Moscow Fire Insurance Company, in liquidation, on deposit with the aforesaid bank as depository described in a judgment of the Supreme Court of the State of New York, County of New York, entered August 22, 1934, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or de-liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Waldemar Stoelier, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national 1736 **NOTICES**

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 23, 1953.

For the Attorney General.

[SEAL]

PAUL V. MYRON, Deputy Director Office of Alien Property.

[F. R. Doc. 53-2640; Filed, Mar. 26, 1953; 8:51 a. m.]

[Vesting Order 17338, Amdt.]

SENORA BLANCA SABIONCELLO BARBASTE DE KRAMER

In re: Interest in bonds and securities owned by and debt owing to Senora Blanca Sabioncello Barbaste de Kramer.

Vesting Order 17338, dated February 12, 1951, is hereby amended as follows and not otherwise:

By deleting from Exhibit B of the aforesaid Vesting Order 17338 the number of shares "15" and certificate number "04735" set forth with respect to shares of stock of Detroit & Canada Tunnel Corporation and substituting therefor the number of shares "45" and certificate number "C04016"

All other provisions of said Vesting Order 17338, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 23, 1953.

For the Attorney General.

[SEAL]

PAUL V. MYRON, Deputy Director Office of Alien Property.

[F R. Doc. 53-2641; Filed, Mar. 26, 1953; 8:51 a. m.]

DEPARTMENT OF COMMERCE

National Production Authority

[Suspension Order 49; Docket No. 52-Modification 1]

DURALUM PRODUCTS Co., INC., ET AL.

MODIFICATION

This proceeding has to do with the matter of the National Production Authority vs. Duralum Products Co., Inc., a New York corporation, and Leon M. Gordon and Murray Kruta, president, and secretary and treasurer, respectively, of the Duralum Products Co., Inc., and individually, all of 33-25 127th Street, City of New York, County of Queens, State of New York, in connection with which NPA Hearing Commissioner

George E. Brower entered Suspension Order 49 on November 21, 1952, at New York City, N. Y.

In conformity with the policy established by Direction 20 to CMP Regulation No. 1, dated February 16, 1953, and Direction 10 to Revised CMP Regulation No. 6, dated February 16, 1953 (see also Designation of Scarce Materials 1, as amended February 18, 1953) and

On motion of Robert H. Winn, Esquire, Assistant General Counsel of the National Production Authority

It is hereby ordered, Pursuant to the provisions of paragraph (c) of section 5 of NPA Rules of Practice (17 F R. 8156) that the above-identified suspension order be modified so that the respondents herein, any provision in the suspension order notwithstanding, may acquire any controlled material which is acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1 or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6; and

It is further ordered, That the said suspension order be further modified so that the respondents herein may use or dispose of any controlled material so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of NPA as referred to in section 7 of Direction 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of said Direction 20 or of Direction 10 to revised CMP Regulation No. 6.

In all other respects the aforesaid Suspension Order 49 remains unmodified.

Issued this 16th day of March 1953 at Washington, D. C.

> NATIONAL PRODUCTION AUTHORITY,

By Morris R. Bevington, Deputy Chief Hearing Commissioner

[F. R. Doc. 53-2691; Filed, Mar. 26, 1953; 10:18 a. m.]

[Suspension Order 50; Docket No. 55-Modification 1]

HUB AUTO SUPPLY, INC., ET AL.

MODIFICATION

This proceeding has to do with the matter of the National Production Authority vs. Hub Auto Supply Inc., and William B. Sandler, President of Hub Auto Supply Inc., and individually, of Boston, Massachusetts, in connection with which NPA Hearing Commissioner Ernest J. Brown entered Suspension Order 50 on November 26, 1952, at Boston, Massachusetts.

In conformity with the policy established by Direction 20 to CMP Regulation No. 1, dated February 16, 1953, and Direction 10 to Revised CMP Regulation No. 6, dated February 16, 1953 (see also Designation of Scarce Materials 1, as amended February 18, 1953) and

On motion of Robert H. Winn, Esquire, Assistant General Counsel of the National Production Authority.

It is hereby ordered, Pursuant to the provisions of paragraph (c) of section 5 of NPA Rules of Practice (17 F R. 8156), that the above-identified suspension order be modified so that the respondents herein, any provision in the suspension order notwithstanding, may acquire any controlled material which is acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1 or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6; and

It is further ordered, That the said suspension order be further modified so that the respondents herein may use or dispose of any controlled material so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of NPA as referred to in section 7 of Direction 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of said Direction 20 or of Direction 10 to Revised CMP Regulation No. 6.

In all other respects the aforesaid Suspension Order 50 remains unmodified.

Issued this 16th day of March 1953 at Washington, D. C.

> NATIONAL PRODUCTION AUTHORITY,

By Morris R. Bevington, Deputy Chief Hearing Commissioner

[F. R. Doc. 53-2692; Filed, Mar. 26, 1953; 10:19 a. m.1

[Suspension Order 48; Dockets Nos. 59 and A-9-Modification 2]

ACME PACKING CO. AND FIRST CALL DOG FOOD Co.

MODIFICATION

This proceeding has to do with the matter of the National Production Au-Cthority vs. Acme Packing Co. and First Call Dog Food Co., 1960 Carroll Avenue, San Francisco, California, in connection with which NPA Hearing Commissioner William B. Owens, at Palo Alto. Callfornia, entered Suspension Order 48 on November 19, 1952, and Deputy Chief Hearing Commissioner Curtis Bok, at Philadelphia, Pennsylvania, entered an order of modification on January 13. 1953.

In conformity with the policy established by Direction 20 to OMP Regulation No. 1, dated February 16, 1953, and Direction 10 to Revised CMP Regulation No. 6, dated February 16, 1953 (see also Designation of Scarce Materials 1, as amended February 18, 1953), and

On motion of Robert H. Winn, Esquire, Assistant General Counsel of the National Production Authority

It is hereby ordered, Pursuant to the provisions of paragraph (c) of section 5 of NPA Rules of Practice (17 F R. 8156), that the above-identified suspension orders be modified so that the respondents herein, any provision in the suspension orders notwithstanding, may acquire any controlled material which is acquired pursuant to the provisions of section 6 of Direction 20 to CMP Regulation No. 1 or section 2 (a) of Direction 10 to Revised CMP Regulation No. 6; and

It is further ordered, That the said suspension orders be further modified so that the respondents herein may use or dispose of any controlled material so acquired, and the suspension order herein shall not be treated as effecting a prohibition by a regulation or order of

NPA as referred to in section 7 of Di-rection 20 to CMP Regulation No. 1 as to any controlled material acquired pursuant to the provisions of said Direction 20 or of Direction 10 to Revised CMP

Regulation No. 6.

In all other respects the aforesaid

Suspension Order 48 remains unmodi
[F. R. Doc. 53-2633; Filed, Mar. 26, 195 fied.

Issued this 17th day of March 1953 at Washington, D. C.

> NATIONAL PRODUCTION AUTHORITY,

By Moneis R. Bevington,

[F. R. Doc. 53-2693; Filed, Mar. 26, 1953; 10:19 a. m.]